AJN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.2874 OF 2005

Sanket Navnath Madkaikar ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. R.K. Mendadkar for the petitioner.

Mr. R.M. Sawant, G.P. for respondents 1 to 3.

CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.

DATED: 6TH DECEMBER 2005.

P.C.:-

1. We have heard the learned counsel for the parties. The learned counsel for the petitioner states that he has served respondent 4 college, intimating to respondent 4 that this matter will be taken up for hearing today. However, none is representing respondent 4. The grievance of the petitioner is that his caste validity application is pending before respondent 2 and respondent 2 has not decided the same till date. Respondent 4 has issued a communication dated 27/10/2005 stating that since the petitioner has not been able to submit his caste validity certificate within 12 weeks from the date of admission, his admission will be cancelled. In the circumstances, we pass the following order:

ORDER

2. Respondent 2 is directed to dispose of the petitioner's application for caste validity certificate within a period of four months from today. Respondent 2 shall communicate the result to the petitioner. Respondent 4 shall not cancel the admission of the petitioner for four months from today and if the decision of respondent 2 is adverse to the petitioner, for a period of two weeks from the date of decision. We are informed that the examination of the first semester of the first year Engineering degree course is to take place tomorrow i.e. 7/12/2005. Respondent 4 shall issue provisionally the hall ticket and permit the petitioner to appear for the examination, provisionally. It is made clear that this order will not give rise to any equity in favour of the petitioner.

3. Petition is disposed of in the aforestated terms.

4. All concerned to act on the authenticated copy of this order.

(SMT. RANJANA DESAI, J.)

(ABHAY S. OKA, J.)